

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1526/P1dn  
EVM:wlj:rs

March 4, 2013

ATTN: Mark Florian

Please review the attached draft carefully to ensure that it is consistent with your intent. The following are several issues you may wish to consider in your review of this draft.

1. Throughout this draft I have used the terms “sanitation workers” and “sanitation work.” These terms are undefined and apparently not elsewhere used in the statutes, but would likely be understood to encompass a broad range of, generally, official sanitation activities. Do you want to provide a definition? Do you want to use a different term? Several statutes use variations of refuse or waste collection or disposal. These terms would likely cover a narrower range of activity than sanitation work. You may wish to contact someone familiar with the industry for more information on the general usage of these terms.
2. Please note, in contrast with highway maintenance and construction areas, motorists will likely have little or no notice that they are entering an area where sanitation workers are performing sanitation work. Do you want to limit the doubling of penalties to situations where the motorist was aware of the presence of sanitation workers or should have been aware of sanitation workers?
3. Several statutes in ch. 346 contain special provisions related to highway maintenance and construction but have not been treated in this draft. Section 346.072 requires motorists, to the extent safely possible, to change lanes when approaching highway maintenance or construction vehicles. Sections 346.17, 346.22, 346.43, and 346.49 provide that when the violations are committed in highway maintenance or construction areas they are subject to double penalties. The violations covered are, respectively, failure to obey a traffic officer or traffic signal, failure to yield at a yield sign, failure to obey traffic lights, and failure to stop at a stop sign. Please let me know if you would like treatments of any of these statutes added to the draft.
4. The treatment of s. 346.57 (3) in this draft is probably without any actual effect. While I have added language paralleling the current treatment of highway construction or maintenance workers, this language merely provides examples of pedestrians. Do you want to omit this treatment? Do you want to instead specify that motorists should reduce speed in the presence of sanitation workers, whether or not the workers are pedestrians?

5. Would you like to provide a delayed effective date?

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible “/1” draft.

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